CONVOY DISPATCH

Voice of the Teamster Rank and File Since 1975

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Teamsters for a Democratic Union

P.O. Box 10128, Detroit, MI 48210 Phone (313) 842-2600

TDU Wins Big Victory in Central States H & W Case:

Fund Rescinds Policy of Denying Claims

TDU members and attorneys have won a victory which restores and safeguards the health and welfare protection of thousands of Teamster families in the Central States, Southeast, and Southwest Area Fund.

The Fund has settled in the face of a TDU lawsuit, by rescinding its policy of terminating benefits for members whose employers are delinquent in making contributions.

This policy had become effective September 1, 1981, and a letter was sent to each member, informing them of the new "cut-off" policy. The new Fund Director, George Lehr, told a reporter that it would affect "less than five percent" of the Fund's participants. Five percent means up to 10,000 Teamster families, so TDU set to work to reverse this unfair policy.

A suit was filed in the form of a motion for a preliminary injunction on October 21, by plaintiffs Bob Leslie (Des Moines, Iowa, Local 147), Tom McNamara (Rock Island, Illinois, Local 371), Roger Beach (Indianapolis, Indiana, Local 135) and Basil Adams (Detroit, Michigan, Local 124).

On November 10, 1981 Federal Judge Kocoras heard the Fund agree to indefinitely rescind its policy.

This change affects anyone whose employers failed to make required payments to the Fund which resulted in their health and welfare benefits being cut. If any member has questions or difficulties of this type they should contact TDU.

Judge Kocoras further ruled that 45 days notice would have to go to the court and to the plaintiffs before any such policy would be attempted in the future. This would give us time to be able to try to stop it.

Attorney Tom Geoghegan of Chicago told **Convoy Dispatch** that he was extremely happy with the situation. "It's a clear victory for the members." he said. Geoghegan, along with Marshall Patner and Arthur Fox, handled the case. They also contacted the Department of Labor, strongly urging them to intervene in the matter.

One of the worst parts of the policy was that members were to be terminated from coverage without any advance notice — and then be exposed to catastrophic liability and medical bills. Thanks to TDU's action, this is now unlikely to happen.

Convoy Dispatch photo by Bob Gumpert

500 ATTEND RANK & FILE CONVENTION In Detroit, October 31-November 1. The Convention took a strong position against takeaways on the upcoming contracts.

Sell Out Exposed at Harrisburg NLRB Trial

TDU Victory. . . "New Hires" Clause to Come out of NMFA?

It appears that the membership may be headed for a victory in eliminating a sweetheart 'new hires' clause in the Central Pennsylvania Supplement to the freight agreement.

At the same time, an NLRB trial on November 2, 1981 in Harrisburg, Pa. revealed how the contract has been abused by Local 776 officers. It is a clear warning to Teamsters nationwide to keep the "new hires and trainees" clause out of the NMFA altogether.

The infamous "Article 62" in Central Pennsylvania was inserted in the last contract due to the fact that Teamsters are not allowed to have a separate vote on their supplements. This sweetheart allows unqualified people to be hired ahead of experienced Teamsters and to be paid 70% of union scale.

Harrisburg Officials Caught in Sweetheart Deal

Thanks to a three-year membership fight led by TDU Chapters in Pennsylvania, it now appears that this battle may end in victory. Union negotiator Edward Harrington, Secretary Treasurer of Scranton Local 229, told a packed November 15 union meeting that Article 62 "will be removed from the contract".

This was the same Edward Harrington who signed the rotten deal three years ago, along with one other officer, Lee Via of Lancaster Local 771.

It was TDU that has fought this sellout. Members of Harrisburg Local 776, Scranton Local 229, Lancaster Local 771, Allentown Local 773, and others brought charges against the union negotiators, backed up by petitions and resolutions adopted at local meetings rejecting the deal.

The worst example of the use of the Article 62 "new hires" clause came to

(Continued on page 5)

Thousands Sign Petition Against Takeaways

Union's Bargaining Position Revealed

Despite the enormous problems facing freight Teamsters, initial proposals submitted by the union to the employers (TMI) are extremely weak.

Contract proposals as of yet include no **job security** proposal in the Master Agreement. At most there is a hint there will be a severance pay demand made later (as there was in 1979). But this is practically worthless if a carrier goes bankrupt.

Most major contract articles have no demands made for them yet. Nothing on Article 16—safety and road driver conditions. On Article 20, where a ban on production cards would be appropriate, the union demands call for 'no change'. Nothing on Article 8 to restore a limited right to strike over grievances (lost in 1970).

Monetary demands will be submitted later, perhaps after bargaining is scheduled to start on December 1. Other union demands may be made then as well, and hopefully will.

The employers are demanding serious takeaways, including a wage freeze, a weakened Cost of Living, and big takeaways in jobs and conditions. But several thousands of freight Teamsters have already responded by signing the "Petition Against Concessions, Giveaways and Takeaways in the NMFA."

A major exception to this general pattern of weak union proposals are the demands put forward by the Western Conference of Teamsters for the Western Local Cartage and Over the Road Supplements to the NMFA. In fact, many of the Western Conference proposals are the same points that TDU has pushed for the last 3 years. They include:

Innocent Until Proven Guilty. "Discharged or suspended employees shall be kept working until grievance committee decision is rendered. This proposal shall not apply to those violations not requiring a prior warning letter." (Article 44, Local Cartage).

No Forced Overtime During Layoffs. "If an employer has employees on layoff, there shall be no forced overtime for the active people and in no event shall any active employee work over 10 hours per day." (Article 43, Section 2, Local Cartage.)

Limits on Casuals. "When any casual works fifteen (15) eight (8) hour days in any given time, the company shall have thirty (30) days to notify the casual and union as to whether he (or she) has met the company standards for hiring. If a supplemental casual works twelve (12) days within a callendar month [and] declines full time employement the employer shall be required to add one (1) other person to seniority list." (Article 50, Section 4, Local Cartage.)

No Forced Dispatch for Road Drivers After 40 Hours"...No employer may force any employee to work in excess of forty (40) hours during a seven-day period if said employee does not so desire." (Over-the-Road, Article 55.)

A review of the other major Supplements reveals that the union's proposals are much weaker than in the West. But whether a Supplemental proposal is weak or strong, the fact is that Supplement negotiators have little power. Once the Master is signed, the bargaining is basically over. Without membership pressure, even the Western Conference demands are only words.

(For more information on what you can do—see page 5.)

LETTERS

Solidarity in Fumes Fight

Dear TDU,

TDU members should know that Teamsters Local #692, the Western Conference and Joint Council #42 have come out in support of the Longshoremen's Union in its refusal to handle any produce that's been fumigated with Ethylene Dibromide (EDB).

Tests show that EDB causes cancer and sterility in laboratory animals. In humans it was found to cause kidney and liver damage, as well as central nervous system depression. EDB poses life-threatening danger to humans **after brief periods of exposure from residual vapors.**

In recent months there has been a big controversy over the handling of EDB-fumigated produce. Cal Cartage employees who handle EDB-fumigated produce were required to wear regulation gas masks for protection.

Seventeen trucks which arrived at the Cal Cartage terminal did not carry any warning signs alerting motorists that EDB was spewing out on them as they traveled behind the truck, and motorists had no warning if the truck was involved in an accident or spill or how hazardous the cargo was. The consumer who purchases the produce is not aware of the hazards either.

For too many years Teamsters and Longshoremen have been handling dangerous shipments, including dangerous pesticides and fruits and vegetables contaminated with these hazardous substances. We've been asked to load and unload drums of toxic compounds—many times they burst while in transit—and we had no idea what was in them until it was too late.

Solidarity with longshoremen and consumers will enable all workers to live longer and enjoy a healthy life.

Sincerely,

Alex Morales
Local 692
Lynwood, CA

Behind TDU All the Way

Dear TDU,

I stand behind you people all the way. Unions used to be "our" voice and leverage. Now they are a floundering nucleus interested in preservation of, not rank and file, but the officers, their cars, expense accounts, office buildings and prestige. No wonder there has been a shift away from unions by the rank and file. It's just what employers have long dreamed of.

Gordon E. Teller
Local 174
Bothell, WA

Road Drivers

Dear TDU,

The National Contract should read any road driver with 50 hours logged in one week can mark off his choice to work more or not. The company won't hurt. Most drivers are hungry and will work out their 70 hours. At the home terminal there should be at least 10 hours between trips before being called. We should have COLA payments every three months. And there should be a 24 hour '800' number for drivers to call the D.O.T.

Edwin Davidson
Local 992
Hagerstown, MD

MOVING?

Notify us of your new address or you will **not** receive your monthly **Convoy Dispatch**. The paper is sent third class bulk mail and will **not** be forwarded to you.

Use the membership application form in any issue of the paper to notify us and write on the top of the form—**CHANGE OF ADDRESS.**

Bus Driver Backs TDU

Dear TDU,

Just a few lines to let you know that you folks are showing the way for sisters and brothers in other unions. I've been a subscriber to **Convoy Dispatch** for a while now and I notice that when I post copies of the paper, my fellow Greyhound drivers seem to be quite interested.

The PROD efforts with regard to DOT rule-making on hours of service and drivers' logs are of concern to us, too. The only outfit that seems to be taking a position that will benefit the working driver is TDU. If our union, the Amalgamated Transit Union, has done anything on these issues, the rank and file sure haven't been told. The word is that Trailways is now seeking contract "relief" with Greyhound just chomping at the bit. It's clear that the pattern is the same in all industries and the entire labor movement is going to have to get its butt into gear.

Have a great Rank & File Convention. I'd like to be there but somebody's got to drive that back road to Evansville.

Gershon Mayer
Local 1303, Amalgamated
Transit Union

Fair Hours

Dear TDU,

I believe 60 and 70 hours a week are way too much for a man to work. What we need is a shorter work week and cut the time needed for vacations. We need more sick leave, more holidays. **There should be no forced overtime with men on layoff or not.**

Sincerely,

Fred Bink
Local 294
Glenmont, N.Y.

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Convoy Dispatch photo by Bob Gumpert

NEW TDU STEERING COMMITTEE: Front row, [left to right], Mel Packer, Local 800, Pittsburgh PA; Bob Kinnunen, Local 705, Chicago IL; Konstantine Petros, Local 20, Toledo OH; Ken Paff, Local 407, Detroit MI; Bob Leslie, Local 147, Des Moines IA; George Feld, Local 200, Milwaukee WI; Pete Camarata, Local 299, Detroit MI; Bilal Chaka, Local 692, Long Beach CA. Back row, [left to right], Eileen Janadia, [Local 337], Detroit MI; Frank Greco, Local 478, Edison NJ; Juana Retamoza, Local 912, Watsonville CA; John Torbet, Local 468, Oakland CA; Doug Allan, Local 208, Los Angeles CA; Keith Gallagher, Local 299, Scranton PA Alternates—Mike Belzer, Local 705, Chicago IL; Jan Sunoo Local 278, San Francisco CA. Not pictured—Gary Lazarowski, Local 407, Cleveland OH; and Welford Wigglesworth, Local 771, Lancaster Pa [alternate].

WHO WE ARE

CONVOY DISPATCH is the voice of Teamsters for a Democratic Union. We are the united rank and file movement to reform the Teamsters, created out of the merger of PROD and TDU.

We are truck drivers, dock workers, production workers, warehouse workers—every kind of Teamster and spouses too.

We are a grassroots organization with chapters from coast to coast in the USA and Canada. We believe in returning this union to the membership and we are doing it. We are a democratic organization in which every member has a voice and vote. Our 15-member International Steering Committee was elected in November 1981 for one year. Our Rank & File Convention had over 500 representatives present.

We are proud Teamsters standing up for our rights. If you agree with our **Rank & File Bill of Rights** then how about joining us?

TDU STEERING COMMITTEE

Co-Chairs:
Doug Allan, Local 208
Pete Camarata, Local 299
Bilal Chaka, Local 692
Bob Leslie, Local 147
Organizer:
Ken Paff, Local 407
Trustees:
George Feld, Local 200
Eileen Janadia (Local 337)
Konstantine Petros, Local 20
Keith Gallagher, Local 229
Frank Greco, Local 478
Bob Kinnunen, Local 705
Gary Lazarowski, Local 407
Mel Packer, Local 800
Juana Retamoza, Local 912
John Torbet, Local 468
Alternates:
Mike Belzer, Local 705
Jan Sunoo, Local 278
Welford Wigglesworth, Local 771

RANK & FILE BILL OF RIGHTS

I. DEMOCRATIC BY-LAWS. All Business Agents and Stewards should be elected. Vacancies in offices should be filled by special election within three months. Local union committees should be elected. Contract and strike votes should be by majority (not two-thirds). All contracts should provide for elected officers retaining their company seniority.

II. DIRECT ELECTION OF OFFICERS. General President and all International officers should be elected by the membership. International VPs elected by regions. An end to trusteeships and split-off locals.

III. A FAIR GRIEVANCE PROCEDURE. Innocent till proven guilty, right to remain on the job till final procedure completed. Grievance procedure should include right to a speedy trial, arbitration by peers, and the right to strike if necessary.

IV. PRESERVATION OF WORKING CONDITIONS. The union's purpose is to expand and preserve what we have, not trade it away for anything less. People come first, not productivity.

V. SAFETY AND HEALTH. We have the right to enter the workplace without fear for our health and leave in the same condition we arrive. Teamsters should have the right backed up by our union to refuse unsafe work or hazardous conditions. We are not machinery.

VI. EIGHT HOUR DAY AND FIVE DAY WEEK. Forced overtime and unfair dispatch rules destroy our family life and cost us jobs. No mandatory overtime, "flexible" work weeks, or 70-hour slavery. We are for the advent of the four day work week. We work to live, not live to work!

VII. A DECENT PENSION. Every dollar in the pension funds belongs to us. We are entitled to 25 and out, cost of living on pensions, and union pension trustees elected by the rank and file and retirees to safeguard our money.

VIII. JUST SALARIES FOR OFFICERS. A union officer can't understand the problems of members who make less than half what he makes. No officer should make more than the highest paid working members in his jurisdiction. No multiple salaries from union, company, or government sources, or special fringes and pensions. Salary increases limited to the average increase for membership, and subject to membership approval.

IX. EQUALITY AMONG TEAMSTERS. Bring all wage levels up to the highest standards, not a lot for the few and little for the many. Fight the hardest for the lowest paid.

X. END TO DISCRIMINATION. Employers have used the difference in age, race, and sex to divide us for decades. We oppose these injustices and divisions. Support affirmative action to correct past injustices. Employers should bear the cost of their past discrimination, not the members.

NEWS FROM THE

WASHINGTON OFFICE

The Washington office of TDU—formerly PROD's national office—is the rank and file's voice in the capital. Litigation, designing new legislation, reforming safety regulations concerning all aspects of working conditions and truck design—we're working for you.

We have a Professional Drivers Council of TDU to help. But we need your input.

PROD/TDU
Room 612 — 2000 P St., NW
Washington, D.C. 20036

Two Bills Threaten Teamster Pensions

Two controversial pension bills have been introduced in Congress which, if passed, could threaten the pensions of thousands of Teamsters. Not surprisingly, both bills have the enthusiastic support of trucking management. But incredibly, it appears that the International union is backing some of these measures as well.

'Withdrawal Liability' to End?

Senator Orrin Hatch (R. Utah) has introduced the "1981 Multi-Employer Pension Plan Stabilization Act." Under present law, if an employer drops out of a pension plan they must pay at least part of the money which that company's employees have coming to them in future pension benefits. Under Senator Hatch's bill, these companies could withdraw from a fund—either due to bankruptcy, decertification, changes in the contract, etc.—and not owe the fund or the employees a cent.

This means that while under the present law the Central States Fund, for example, was able to make assessments for some $95 million over the past year—under the new law they wouldn't be able to collect a penny. What's worse, without the obligation of employers to make payments to the fund upon withdrawing (called "withdrawal liability") there would be little to stop them from trying to flee the Pension Fund in a mad stampede as a way of seeking 'relief' in weak economy. The impact on the funds—and on our pensions—would be disasterous.

Delinquent Contributions to Hurt Employees?

A second bill is being introduced in both the House (HR 4330) and the Senate (S. 1541) called the "Retirement Income Incentives and administrative Simplification Act of 1981." Hiding behind this impressive name is a proposal that would allow pension plans to deny credit to Teamsters when their companies fail to make required contributions. At present, the law protects the credit of the employees, whether or not their employer is making contributions.

In addition, this proposed law would "simplify" things for plan trustees by:

- —eliminating the summary annual financial reports sent out to all plan participants;
- —loosening the restrictions on the use of plan assets by the company or the trustees;
- —relieving the plans of responsibility for notifying workers of important changes in plan rules and requirements.

IBT Supports Anti-Teamster Measures

On November 9, attorney Ted Groom, representing the Western Conference of Teamsters Pension Fund, testified enthusiastically in favor of the "Simplification" bill. In fact, it was Groom who wrote the provisions which would restrict the distribution of financial information to participants.

Even more shocking, however, was the action taken by International Vice President Louis Peick and other trustees of Local 705 Pension Fund. Peick, in league with a number of employer groups, filed suit on August 6, 1981 against the IRS and the Department of Labor, charging that the "withdrawal liability" which is imposed on employers, and which protects workers if a company drops out of the plan, is unconstitutional. It is hard to imagine why an International official would attempt to eliminate a law that can bring millions of dollars to Teamster pension funds. But whatever the reason, it is a sad testimony to how close to the employers — and how far from the members — the hierarchy of our union has become.

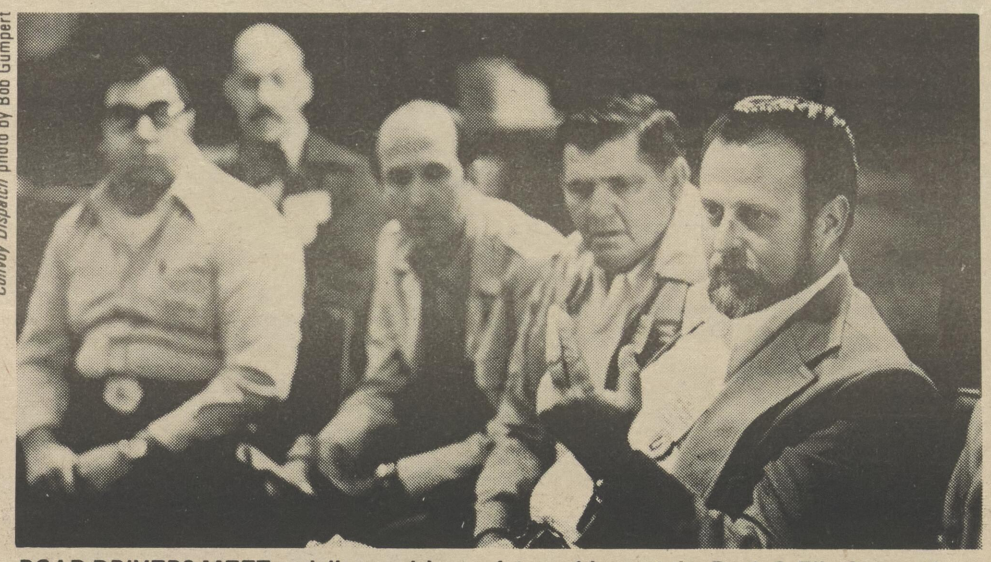
Members Testify on Pensions

Rank and file members Ted Katsaros, John Kuebler and Bob McGinnis testified before the Senate Select Committee on Aging concerning irregularities in their pension funds.

The hearings were called by Representative Claude Pepper (D. N.Y.) to "catalogue the techniques of fraud and the gaps in the present law and enforcement that make the fraud possible." The ultimate goal of the hearings is to propose new legislation in 1982.

Katsaros and Kuebler are long time members of Local 282 in New York. They told the Committee how their pension fund tried to invest $20 million in a Las Vegas casino venture whose administrators had already defaulted on $42 million of Teamster pension monies. The rank and filers complained to the Department of Labor, which had the loan overturned in federal court. Katsaros urged the Committee to require that pension funds provide to their members: complete information concerning the fund, access to the minutes of trustee meetings, and full disclosure as to investments, loans, losses and gains.

McGinnis, who has worked in the trucking industry in Chicago since 1938, cited a litany of imprudent activities and abuses which he uncovered by examining Annual 5500 Forms. These forms must be filed with the Department of Labor and the Internal Revenue Service.



Convoy Dispatch photo by Bob Gumpert

ROAD DRIVERS MEET and discuss driver safety problems at the Rank & File Convention. At right, Welford Wigglesworth, Local 771, Yellow Freight makes a point. Brother Wigglesworth was elected as an Alternate to the TDU Steering committee.

New Rules Cut Pension Benefits

The Central States Fund is under fire again. Even though the U.S. Department of Labor supposedly cleaned up the $2.9 billion Fund over 4 years ago, by replacing the trustees, demanding independent managers, and filing lawsuits to recover losses, the Central States Fund is still in financial trouble, and still suffering from mismanagement.

Recent testimony before Congressional committees showed that the Central States Fund is short a "staggering" $7.6 billion in vested benefits in excess of what it can pay out. When the Fund's new executive director, George Lehr (a Kansas City banker and confidant of Roy Williams) was asked to explain this to the Senate Permanent Subcommittee on Investigations, he replied that the problems are due to "short range" instability in the trucking industry.

This explanation doesn't hold much water in light of new Labor Department investigations showing that the present trustees did not comply with government requirements, that much of the Fund's assets are still poorly accounted for, that Roy Williams and other former trustees ousted in 1977 are still in control, and that the new trustees are still making bad loans. For example, this past August the U.S. Department of Labor filed suit against the Fund to recover $7 million in bad loans lost in a Florida land scheme.

To prevent the Fund from sliding further downhill, the trustees will do only one thing—**cut pension benefits**. The top Central States benefit of $775 **may** go up next year. After all, a generous top benefit makes the Fund and the union look good. But as more Teamsters in the Fund are finding out, the trustees are cutting costs by making it harder and harder for a retiree to collect top benefits.

New Rules Cut Benefits

Here's an example of how the Trustees are legally manipulating the rules. In 1980 they adopted a new rule, effective January 1, 1981. This rule makes it harder to drop out of the pension plan for a while, and then get back in later and collect full benefits.

The new rule says that if you are laid off for over a year and then later get back into the pension plan, you will not be able to receive benefits at the current, highest, levels unless you get another 250 weeks of contributions—almost 5 years.

For example, suppose you lost your job in 1977, and then went back to work in 1979 when the benefit level went up. You would have to work a total of 250 weeks—until 1984—in order to be able to receive the higher, current, level of pension benefits. If you didn't, you would only be able to get the old, 1977 level of benefits, no matter how high the top pension was when you retired and no matter how many years of service you had. .

The rule puts further restrictions on you if you are under 50 when you lose your job. Then, you can't even qualify for the lower level of benefits that were in effect at the time you left the plan **unless** you work enough years to equal the number of years you were out of the Fund.

For example, suppose you were 49 in 1977 when you lost your job. If you stayed out of the Central States Fund for 4 years—until 1981—you would have to work for another 4 years—until 1985—to qualify for benefits at the **old 1977 level**. If you didn't work that long you would only qualify for the much lower "vested" benefits which are a fraction of a full pension.

The upshot is that as more and more Teamsters experience layoffs and hard times, the Trustees of the Central States Fund (and other funds) are making it harder to collect a full pension by toughening up the rules. In this particular case, the Trustees didn't bother to inform participants until 8 months **after** the rule change went into effect. And when they did, the notification was written in technical jargon impossible to understand.

TDU Chapter Wins Bulletin Board Case

Roadway Found Guilty

by Lehigh Valley TDU

In a decision handed down by Administrative Law Judge George F. McInery on November 4, Roadway Express was found guilty of violating Section 8(a)(1) of the National Labor Relations Act by forbidding Teamsters from posting TDU literature on the bulletin board of their Allentown, Pa. facility.

This decision was the result of a one year legal battle between Roadway Express and the Lehigh Valley Chapter of TDU. The battle began on September 16, 1980 when Roadway Terminal Manager F. R. Tomb posted a notice that stated: "The distribution and/or posting of non-authorized, non-company literature or possession of same on company property is strictly forbidden."

"Any employee who violates these instructions will be subject to disciplinary action up to and including immediate discharge."

The problem arose when Roadway employee and Lehigh Valley TDU steering committee member Doug Madouse posted an article on Roadway's productivity push and placed copies of **Convoy Dispatch** on the lunch table.

The Lehigh Valley chapter decided to take action on November 13, 1980

Convoy Dispatch photo by Bob Gumpert

Phil Depeitro, Local 773, Allentown Pa., is President of the Lehigh Valley TDU.

after giving Teamster Local 773 BA Howard Hontz ample time to take action on behalf of the local union members employed by Roadway.

When it became apparent that Local 773 was satisfied to allow Roadway to ban all "non-authorized, non-company literature", the Lehigh Valley chapter decided to try a new approach before the NLRB.

New Tactic Pays Off

Although Lehigh Valley TDU had members at Roadway who were willing to file a complaint with the NLRB, it was decided that the **chapter itself** would file the charge on behalf of the Allentown terminal employees.

This approach, the first attempted by any TDU Chapter, was used to prevent Roadway from any attempt to intimidate an employee into withdrawing charges against them.

Lehigh Valley Treasurer Al Ebert said that, "This is a victory not only for the local Roadway Employees and the Lehigh Valley Chapter but for all the chapters of TDU as well. We wanted to establish, once and for all, that we, as a chapter would be recognized as a charging party by the NLRB."

As a result of Lehigh Valley TDU's victory, Roadway must now post a notice on the bulletin board stating:

"WE WILL NOT post a no-solicitation, no-distribution notice rule which discourages employees from engaging in protected concerted activities."

"WE WILL rescind the no-solicitation, no-distribution rule promulgated on September 16, 1980."

The Lehigh Valley Chapter would particularly like to thank the two attorneys who argued our case, Ms. Barbara Joseph and Ms. Dorothy Moore of the NLRB, and board agent Allen Hylard, as well as the witnesses who came forward to testify against Roadway. The case generated widespread interest in the local — about 20 members showed up for the trial last August to watch the proceedings — and should serve as a lesson to both Roadway and Local 773 that the rank and file in the Lehigh Valley area will not take the violation of their rights lightly.

What the Jones Motor Closing Means

Do Concessions Save Jobs?

"I wonder if you people will ever learn that a company has to make a profit before it can pay employees. Ask the Jones drivers if they would like to take another vote. [I notice Cooper Jarrett drivers still have a job.]"
—Anonymous letter sent to TDU Office, November 1981

That was the reaction of some Teamsters to the closing of Jones Motor on October 29. While we understand the anger this member feels, we don't agree that the lesson of Jones Motor is that we should grant relief and give up the NMFA.

In fact, giving up the contract is no answer at all. For whether or not the union grants relief, or even gives away the contract completely, some carriers will be driven out of business over the next year or two.

This is a fact of life. It is not a fact we are particularly happy about. But it is the truth, nonetheless, recognized by bankers, by management, and by the IBT Research Department.

The large carriers are engaging in rate cutting and in a rapid expansion of their facilities and service. They are driving the weaker carriers out of business.

As of the middle of this year, Roadway, CF, and Yellow had operating ratios of 91.4, 93, and 94.6 respectively, while increasing their profits by 28.6%, 10.5%, and 36.3% respectively over the first six months of last year.

These profits are fueling rapid expansion. Yellow opened 100 new terminals from July, 1980 to July, 1981. CF has added 42 and plans to add another 172 by the end of 1982. International Utilities (Ryder and PIE) will be adding 121. Roadway has moved into the Northwest with 50% discounts. This expansion by the giants will mean fewer middle sized 'Jones'-type carriers in the business. "..Until the economy picks up, increased traffic for one carrier will come off the hide of another..." is the way **Business Week** magazine put it recently.

In light of these facts, we think that the answer to the current problems in the freight industry is NOT giving up the contract. The answer is to win a strong **job security** clause in the contract. This clause would guarantee that employees of a company that closes up will have preferential hiring in seniority order at any carrier that hires in a geographic area. Other protections are needed as well, but this single one will help greatly.

Furthermore, our union is going to have to devote much more attention and resources to organizing the unorganized carriers to protect our contracts and jobs.

We feel these measures **are** the answer and the message of the Jones Motor closing. Giving up the contract may keep a carrier in business for a few months. But the consolidation of the industry is well on its way, and no matter how much we give up, it won't make a difference.

Harassment Hits Yellow Freight in West

by SoCal TDU

Due to top level personnel changes in the West, it seems that 'war' has been declared against union employees in Division 4 which stretches from the Los Angeles area to Phoenix.

New Division Manager Dennis Yule seems to be behind this new outbreak of harassment, which is particularly being felt at the Los Pico terminal under terminal manager Tim Tuerk.

"Sewer people" is the term reportedly used by Mr. Yule in reference to union employees, especially those with over 20 years seniority. "They are too old to get around without a skateboard," is said to be one of his expressions.

We note that these "Senior Citizens" have increased revenue and tonnage — and Yellow's profits.

While hiring new supervisors, union employees are being laid off without justification under this new regime.

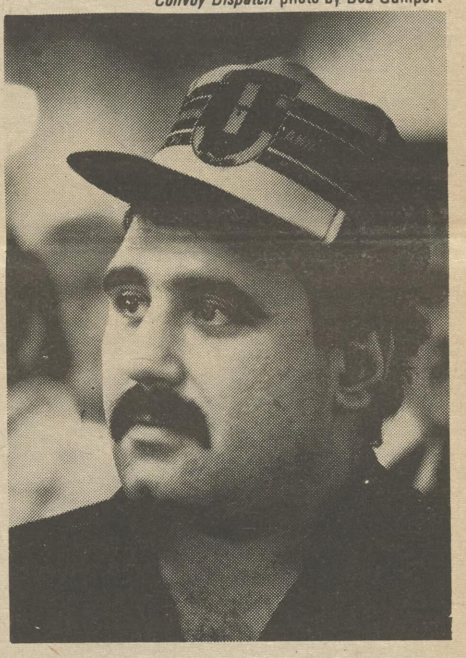
With no decrease in bill count or revenue, six office and four dock positions were eliminated with threats of more if senior people do not produce more work. Phoney warning letters are being handed out. Both dock and office have been threatened with more layoffs unless productivity increases. Already there is 120 hours a week of overtime in the office alone just to keep up.

And Mr. Yule has trailers backed up and held back, both in-bound and out-bound, thus affecting the entire Yellow system nationally. Bill counts are reportedly understated to justify his actions. It all adds up to daily confusion, harassment, and turmoil.

To assist Mr. Yule in his attack on union "Senior Citizens" he has seemingly set new qualifications for selecting supervisors. Two competent ones quit in August of 1981, and referred in their letters of resignation to the confusion and deception in relation to union employees. Their letters went to the general office, but to no avail.

In conclusion, we at Yellow Freight in the LA area feel the time has come to open direct communication with all terminals in the system, and that a Yellow Freight System employees' newsletter would be a most effective way for us to communicate. We need information and verified articles. Please send your comments, stories, grievances and questions to Yellow Freight System Newsletter, Box 1868 Lynwood, CA 90262.

Convoy Dispatch photo by Bob Gumpert



KONSTANTINE PETROS, Roadway, Toledo Local 20, was elected to the TDU Steering Committee. He chaired the meeting of Roadway Teamsters at the Convention. Roadway Teamsters came to the Convention from Texas to Tannersville, Pa. to discuss common problems and what can be done about them. It was suggested that mass grievances be filed on producation cards and on the way in which Roadway is forcing road drivers to log breakdown and waiting-time as 'off duty'.

Cincy Roadway Flex Vote

The Ohio Conference of Teamsters and the management of Roadway Express have finally forced the "flexible work week" on the men at Cincinnati Roadway.

In an early October vote, the dock men rejected the flex by a vote of 116-33, virtually the exact same margin by which they had turned down the flex in two votes earlier this year. But the Ohio Conference permitted the road drivers to vote, and the drivers approved the flex 217 to 56. Thus the combined vote was 250 to 172 in favor of the flex.

Rank & File NMFA Proposals

Over 200 freight Teamsters gathered in Detroit October 21-November 1 to organize opposition to any takeaways, givebacks, or concessions in the National Master Freight Agreement.

They came from Los Angeles and from Boston, from Texas and from Minneapolis, and from all points in between. And when they were through, they came out with a list of specific contract proposals and a plan of action to win them.

Rank & File Contract Demands

THE SIX-POINT PROGRAM ON THE NATIONAL MASTER FREIGHT AGREEMENT
[Passed at the Rank & File Convention, October 31, 1981, Detroit]

1. SAVE THE MASTER CONTRACT
—No Split-up by Region, Classification, Truckload/LTL, etc.

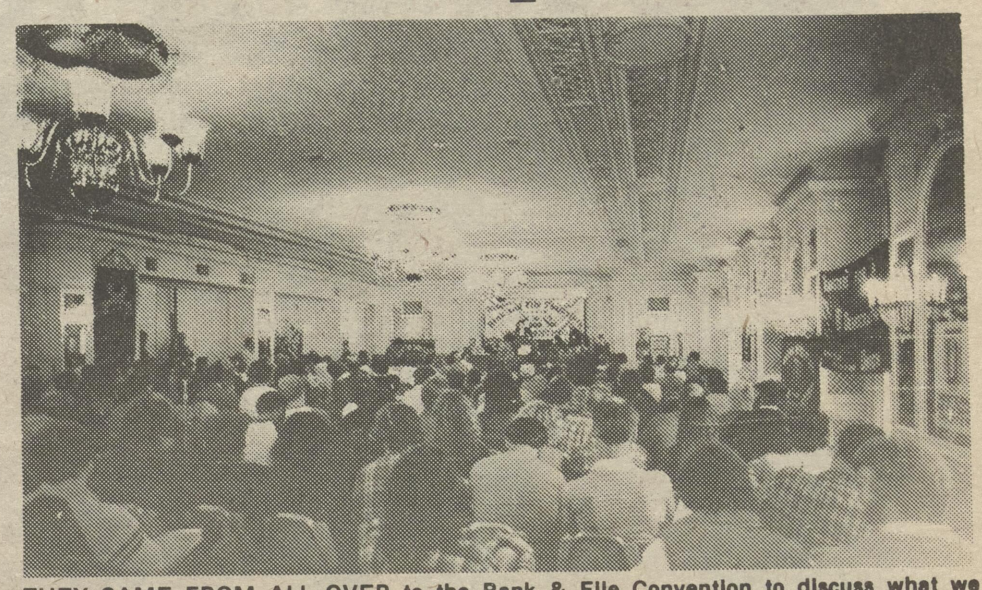
2. SAVE THE COLA
—Keep the Semi-Annual payments
—Improve the formula to provide full protection from inflation (a .2 formula)

3. JOB SECURITY
—Control Casuals
—Preferential hiring for Teamsters whose companies go out of business
—Job Protection in Buyouts and Mergers based on purchase of equipment or transfer of work
—Stop all non-union or sweetheart sub-divisions or leasing operations

4. SAVE OUR WORK RULES AND JOB CLASSIFICATIONS
—No Flexible Work Week
—No direct delivery of freight by road drivers
—No productivity standards or production cards
—Keep all 8-hour guarantees and other guarantees for road drivers

5. CONTRACT ENFORCEMENT
—Innocent Until Proven Guilty Grievance Procedure
—Restore pre-1970 language on the right to strike for 24 hours on local grievances

6. PENSION IMPROVEMENT TO CREATE JOBS
—25-and-Out—at Full Pension
—COLA on Pensions
—Police company contributions—especially on casuals



THEY CAME FROM ALL OVER to the Rank & File Convention to discuss what we need—and what must be done—in the upcoming NMFA. *Convoy Dispatch* photo credit Jim West

WHAT WE CAN DO TO STOP CONCESSIONS

The most important thing is to make our fellow Teamsters aware of the danger that is facing all of us. If the employers are successful in pushing through their list of concessions, we will lose what took years of hard fighting to win.

1. CIRCULATE THE PETITION AGAINST TAKEAWAYS
(copies are available from TDU)

2. PASS RESOLUTIONS AGAINST TAKEAWAYS AT YOUR LOCAL UNION MEETING
The following language for a local union resolution against concessions was recommended:

"We, the members of Local Union ____, hereby go on record as opposed to any takeaways, givebacks, or concessions in the Master Freight Agreement and communicate this message to our National Negotiating Committee."

3.DISTRIBUTE THE CONVOY DISPATCH AND CONTRACT BULLETINS
If we stay informed, and keep our fellow members informed, then we can defeat a sellout on this contract. We will have the right to **vote** on this contract. And if we know what kind of giveaways that they are trying to force down our throats—and know it ahead of time—we can make sure that any sellout is voted DOWN.

Locals Demand "End Production Cards"

At the freight contract proposal meetings in early October, many locals found members—especially those employed at Roadway—submitting proposals for an end to production cards and the harassment that goes with them.

At the November 15 meeting of Local 229, Ed Harrington, who is the local's Secretary Treasurer and a member of the National Negotiating Committee, stated that all the Eastern Conference locals submitted this demand to the International Union.

This follows a petition signed by over 3,000 employees of Roadway, calling for an end to the production cards.

McLean Performance Logs

'Dock Performance Logs' hit various McLean terminals including the Cincinnati and Indianapolis breakbulks. The terminal manager in Cincinnati says they are being put in system-wide.

The "Dock Performance Log" is very similar to the devices used by Roadway Express to harass and discipline people for production standards, without actually using that word.

When McLean employees in Cincinnati asked the terminal manager if the cards would be used for discipline, he answered "yes".

Cincinnati Teamsters filed a grievance on the issue. They felt that since the logs are a unilateral introduction of production standards that they are a violation of Articles 6 and 20 of the NMFA.

On Friday, November 20, their grievance was heard at the Cincinnati city panel. Although the cards were upheld by the panel, one of the most objectionable features of the card was removed: the men now no longer have to enter all of their bathroom breaks on the logs as they previously were instructed to do.

Teamsters at other terminals should consider filing similar grievances to keep up the pressure.

Pennsylvania TDU Victory

[continued from page 1]

light at a November 2, NLRB trial in Harrisburg.

At that hearing, it was proven that a "trainees" agreement had been signed by Local 776 President Don Moudy and BA Shughart, allowing not only 'drivers trainees' but also **'dock trainees'**. As a result of this deal, some 50 inexperienced men were hired at Central to work below union scale, while Local 776 members were losing some 1,000 jobs.

A year ago, the union negotiators testified (at hearings held on the charges brought against them by TDUers) that this program would not be used for dock trainees, that it was only to allow dockmen to become drivers. Yet in February, 1980, months before these statements were made, 776 President Moudy signed the deal with Central Storage. Moudy also never had this agreement approved by the Central Pa. Negotiating Committee, as is called for by the contract.

The NLRB charges were filed by Leo Deaner, former steward at Eastern Express's Harrisburg breakbulk who was blacklisted for three years and finally obtained work at Central Storage at the time Moudy was negotiating the "trainees" clause.

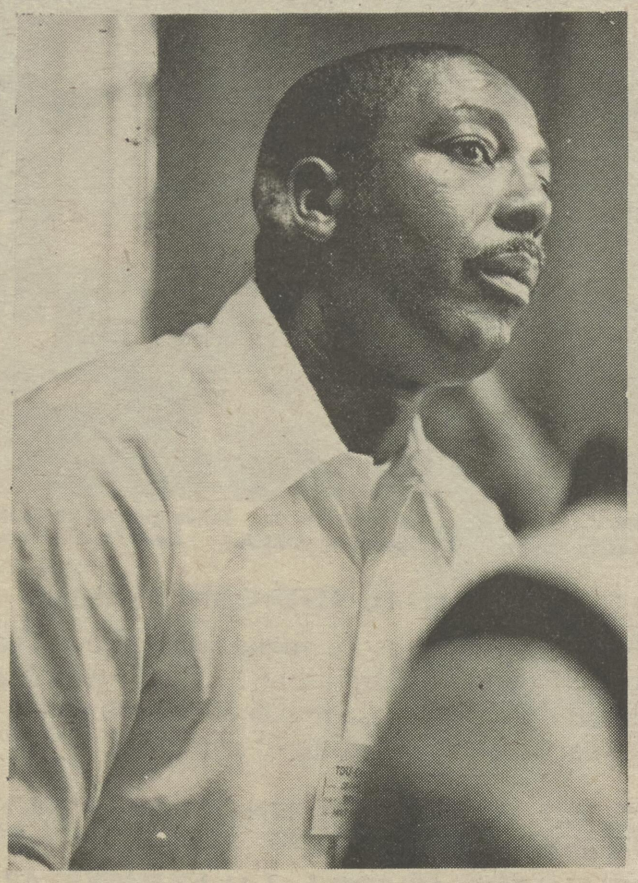
Deaner was terminated before he gained seniority, and filed NLRB charges. At the recent hearing the terminal manager admitted that Deaner was not hired because he felt Deaner would attempt to enforce the contract, and that he had seen a letter which stated that Deaner and another member, Tom Griffith, opposed any cuts in the Master Freight Agreement.

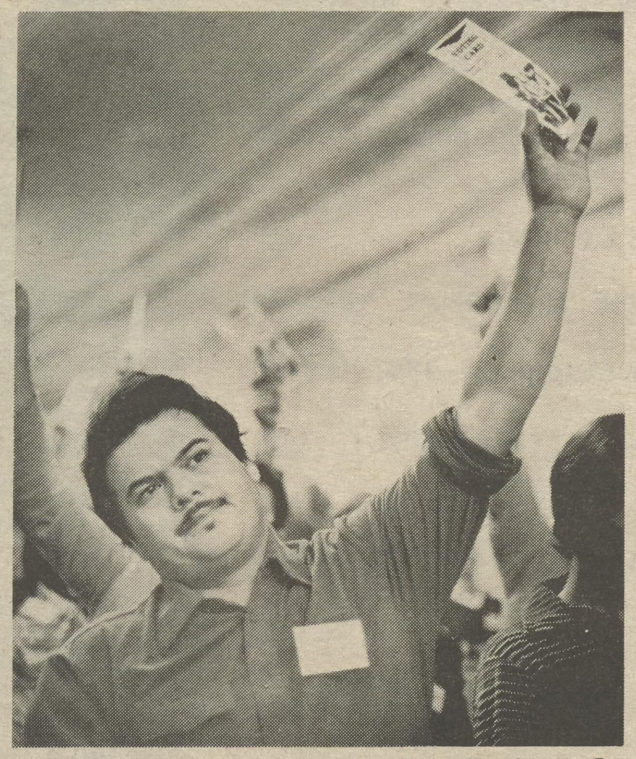
The actual agreement was produced at the hearing, showing the signatures of Moudy and Shughart. Now a grievance has been filed and the panel ruled the agreement was void. But meanwhile some 50 Teamsters lost job opportunities as a result of "Article 62" and the actions of Moudy and Shughart. It is only thanks to the concerted effort made by TDU members in Pennsylvania, however, that even more members were not hurt by this sweetheart-clause—and that the final elimination of this "trainees" deal may be near.

Petitions to Stop Takeaways Due Now!

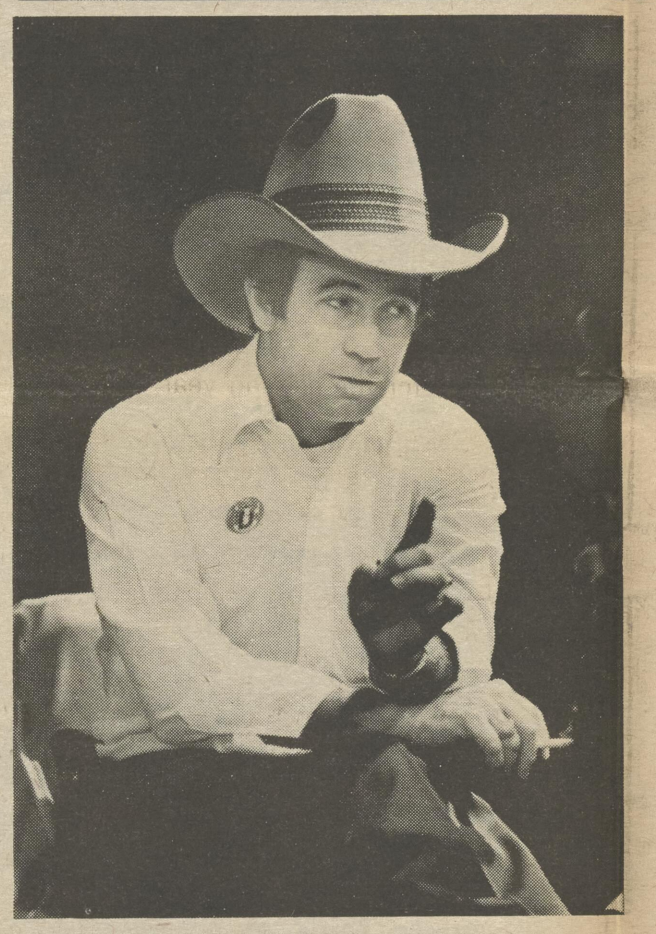
If you haven't sent in your Petitions, you should mail them in immediately. The negotiations are scheduled to begin December 1 and to have an impact the petitions will have to be presented as soon as possible. Mail yours in today!

"The Heart and Spirit of t





DEMOCRACY IN ACTION. Steven Dias, Norristown Pa. Local 384 [above] casts his vote. Oscar Suell [left] from Houston, Texas Local 988 listens to the debate, while George Askey from San Antonio Local 657 makes a point at the microphone [above right].



WORKSHOPS were an important part of this year's Convention. Members from the new TDU Chapter of Newark, Ohio sign in workshops [above]; Leavern Pate, Memphis Local 667, comments at the Driver Saftey workshop [right].

HOME-MADE QUILT RAISES FUNDS. Frances Adcock [right] of Lorain, Ohio made this beautiful quilt which was raffled off to raise funds for the new Rank & File Pension Handbook. Betsy Stroud of LA TDU [left] was the raffle winner.

CONTRACT PLANNING was the heart of this year's conventio Brown and Jimmy Carson of Portland Maine Local 340 listen

the Long Distance Runner"

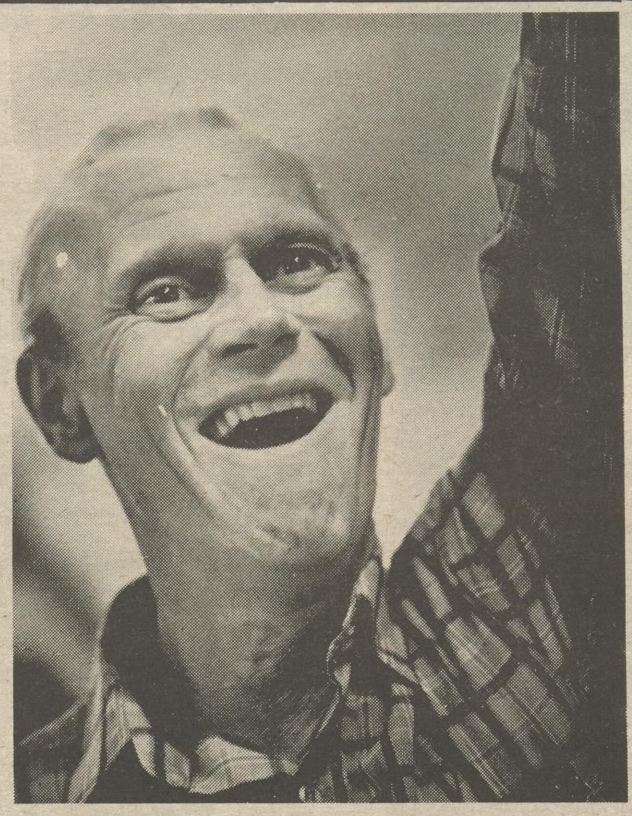
The Sixth Annual Rank & File Convention on October 31—November 1 drew some 500 representatives from Maine to California and some thirty states in between, along with Canadian Teamsters as well.

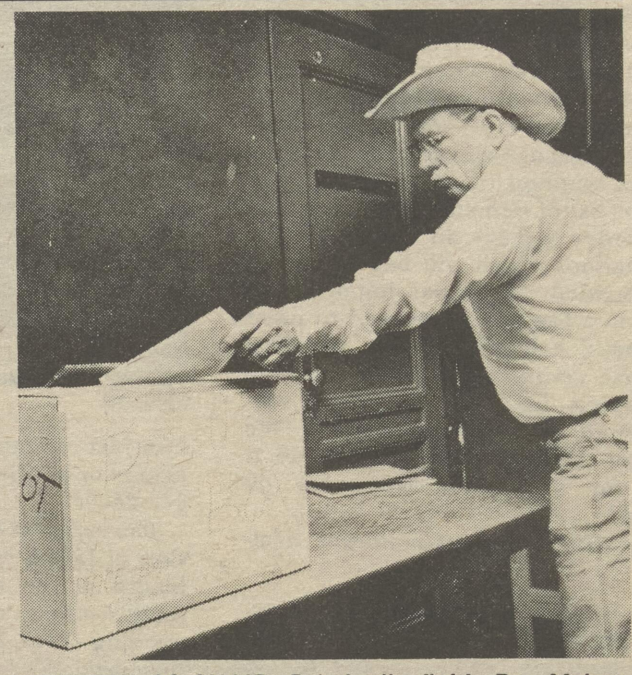
One theme that emerged at the Convention was the need to have the determination of a long-distance runner. A determination to carry the struggle forward to victory.

The Convention took a strong stand of "No Takeaways, No Giveaways" in the coming contracts. And important decisions were made on TDU business—electing a new Steering Committee for the coming year and voting on proposed Amendments to the TDU Constitution.

A Constitutional Amendment calling for candidates for office to be given a questionaire about their support of the TDU Bill of Rights was discussed and defeated by about a 3-1 margin. There was wide agreement that the debate was a good one, with experienced TDU leaders speaking both for and against the Amendment.

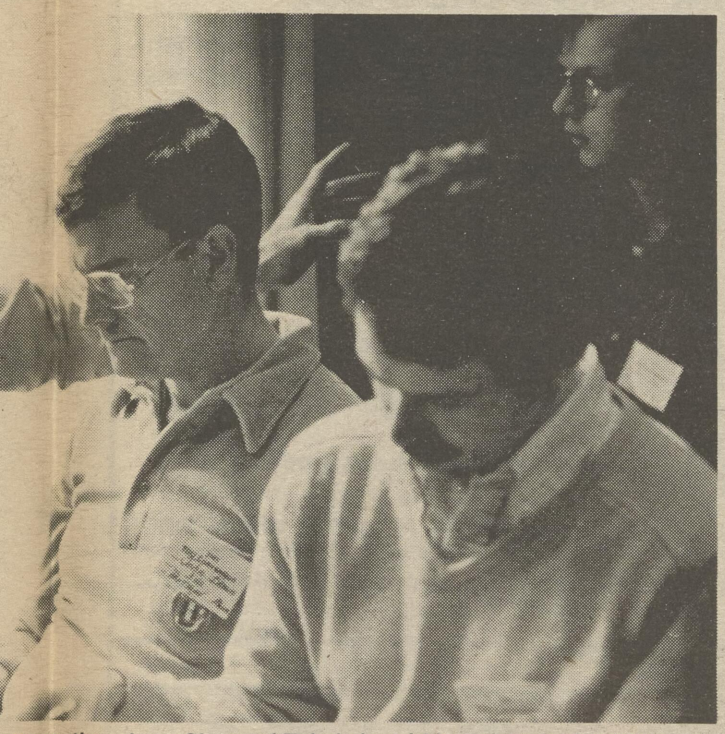
Two other entirely different Constitutional Amendments which would have drastically changed TDU's direction were also introduced. One would have prevented TDU from taking any legal action against union officials. The other called on TDU to become a political movement. Both were overwhelmingly defeated drawing about 1% of the votes.



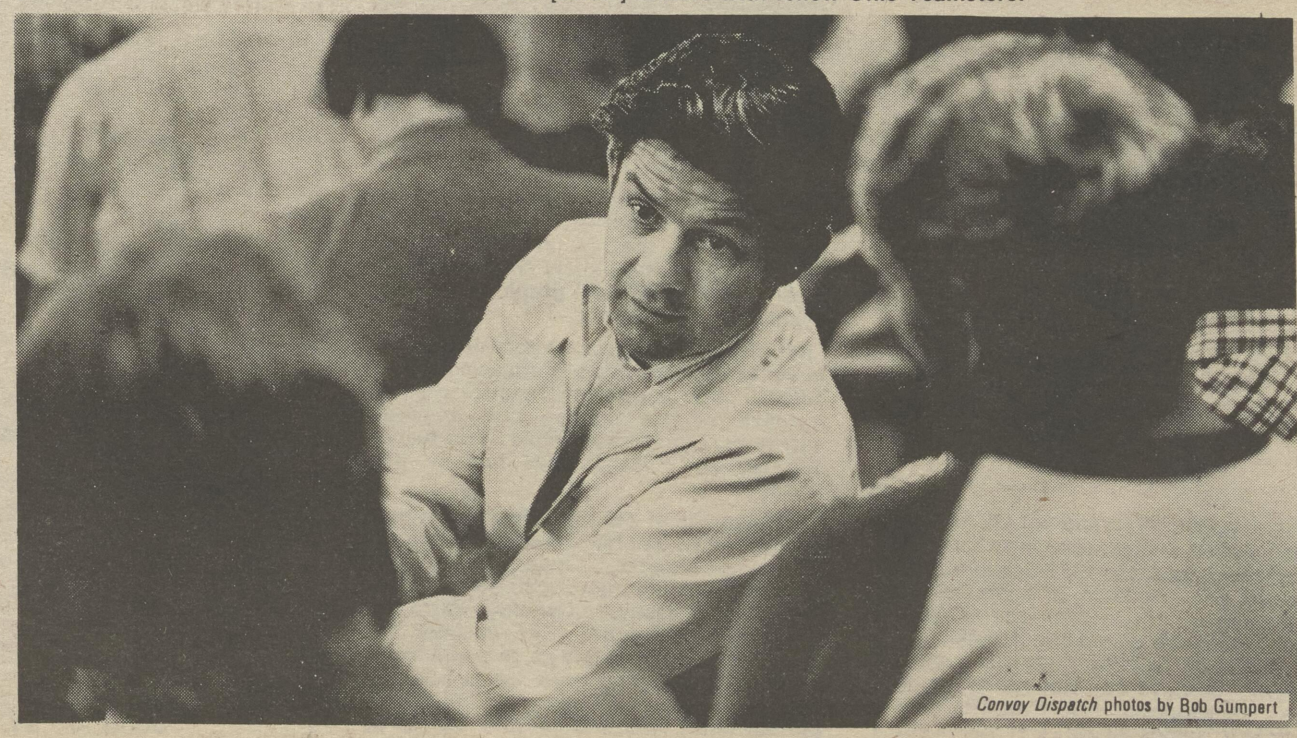


NEW TDU CO-CHAIR, Bob Leslie [left], Des Moines, Iowa 147, expresses some of the enthusiasm that was generated by the Rank & File Convention. The Co-Chairs are elected by a card vote from among the Steering Committee members who are elected by secret ballot. Above, a member casts his ballot for Steering Committee.

A SERIOUS CONVENTION. Mike Joss, from Pontiac, Michigan Local 614 listens to a workshop leader make his point [above] while Bill Justice of Cincinnati Local 100 [below] confers with fellow Ohio Teamsters.



convention. Jerry Simon of Toledo Local 20, makes a point while John 340 listen at the UPS Contract meeting.



Convoy Dispatch photos by Bob Gumpert

UPS Contract Campaign Launched

by the UPS Contract Committee

UPSers from all over the country met at the recent TDU Convention in Detroit and hammered out a list of specific contract demands. It was the beginning of an organizing drive aimed at the national contract with the goal of winning these demands. (see box for list of demands)

In order to have an impact on the negotiations which will begin soon, it was decided that it was important to work on a **few key issues** and to **unite nationally** behind them. In the first national contract in 1979, a whole "shopping list" of demands was submitted by members around the country. Unfortunately, this made it easy for the major issues to be ignored.

The UPS Contract Committee decided:

(1) To circulate a **brochure** to familiarize UPS workers with the demands and to spread the contract campaign.

(2) To run a **petition campaign** to popularize the demands in preparation for introducing them at contract proposals meetings all over the country.

(3) To have **meetings** in as many areas of the county as possible which will help build the contract fight.

If you are interested in setting up a meeting in your area, or wish to get in touch with other UPSers from the Contract Committee, or want brochures or petitions, contact us at (313) 842-2600.

UPSer ELECTED TO TDU STEERING COMMITTEE, Bob Kinnunen, Local 705, Chicago.

The issues of **Overtime, Wages,** and **Cost of Living** were discussed at some length at the national meeting. We finally came to agreement on the exact wording of the demands as printed on this page. We think these are the most realistic goals we can shoot for right now.

The Committee decided to prepare a **contract comparison** of local supplements. This should be ready shortly after the first of the year. There are also plans for a pamphlet on working at UPS—the industry, the union, the grievance procedure, etc...

Your opinions on these and other issues are welcome; if you have questions or comments on these issues, do write or call.

Contract Demands

1. Wages and COLA—Improved Cost of Living Clause that actually keeps up with inflation ('.2 formula' paid quarterly). Also, wage increase every 6 months.

2. Working Conditions—No disciplinary action or harassment based on production standards. No incentive plans.

3. Seniority Rights—Inside workers (both part-time and full-time) should have the right to bid shifts and jobs within a building. All full-time jobs to be bid from part-time list. After exhausting UPS seniority list, new hires should come through the union hall.

4. Hours of work—All overtime should be voluntary, **no forced overtime.** Part-timers to be guaranteed 4 hours and paid double after 5 hours. Feeder drivers to be paid double after 10 hours. Package car and pick up drivers to be paid double after 9 hours.

5. Grievance Procedure—We need a fair grievance procedure. 'Innocent till proven guilty' should be established in the procedure.

6. More Time Off—2 more personal days off. 3 more sick days off with right to take one day at a time. 3 weeks vacation after 5 years.

"No UPS Sellout"

Robert W. Tornes, Local 413

I have been an employee at UPS for approximately 8 years and since the last contract I have endeavored to go from a part-time employee to a full-time employee on three different occasions. Each time I was denied the right to get the job that by all rights should have been mine by seniority. I can't tell you what something like this does to one's spirit and self-esteem.

Here are a few of my experiences:

1. While trying to become a fulltime employee as a package car driver, the company worked supervisors in place of me while I was laid off.

2. During the 2½ month period in which I was driving, I worked a total of 30 days. In the meantime, a person who was hired off the street worked every day.

3. My overall seniority in a building of 500 employees is about #12 and yet I am not given any overtime nor am I allowed to use my seniority to get a job that I want which would give me more time in a worknight without bumping anyone.

4. I have been taken to a manager's office and cursed out, harassed and threatened with bodily harm.

5. The company has threatened to have a hearing on my going to the bathroom and taking a break in the same night. I have had supervisors following me to the bathroom telling me, "Don't flush the toilet after you're done. I want to see if you went."

I close by saying to all you UPSers, "Don't ratify any UPS contract that sells your rights out — and support TDU to the hilt!"

New TDU Steering Committee Member Reports on Canneries

JUANA RETAMOZA, local 912 in Watsonville, California is a newly elected member of the Steering Committee. Juana works at Green Giant Foods and is chairperson of the Watsonville, California TDU Chapter.

Retamoza addressed the Rank & File Convention on the situation of the nearly 100,000 Teamster food processing workers in California and of the struggles that TDU is involved in, and some initial victories that have been won.

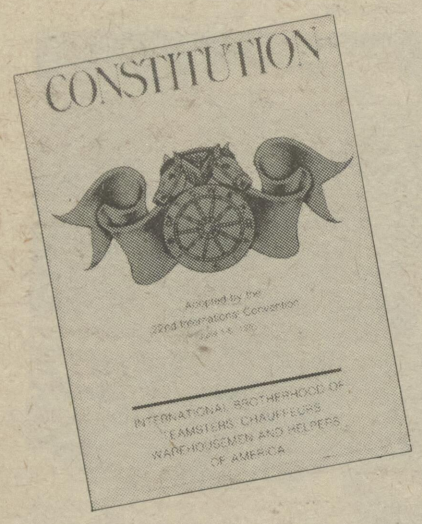
Presently, the Watsonville TDU is involved in a major battle to help a member—Juan Parra—win his job back at Watsonville Canning Company. Parra was fired in October and the Local 912 officers promptly told him there was nothing that could be done. The next issue of Convoy Dispatch will feature extensive coverage of this situation in English and Spanish.

Convoy Dispatch photo by Bob Gumpert

JUANA RETAMOZA del Local 912 en Watsonville, California es un miembro recientamente elegida al TDU Comite Cordinador. Juana trabaja en Green Giant y es la cordinadora del grupo de TDU en Watsonville, California.

Retamoza se dirigio a los participantes de la convencion cerca de la situacion de los 100,000 obreros que son Teamsters y que trabajan en las plantas que procesan alimentos. Ella tambien hablo de las luchas del TDU alli y las victorias que se han logrado.

Actualmente el TDU de Watsonville esta envolcrado en una lucha grande, ayudando a un Teamster, Juan Parra, en reincorporarse de nuevo a su trabajo en la compania Watsonville Canning. Parra fue despedido en Octubre y los oficiales del Local 912 le dijieron que no se podia hacer nada en cuanto a su caso. En la proxima edicion del "Convoy Dispatch" publicaremos informacion mas extensiva de esta situacion en espanol y en ingles.



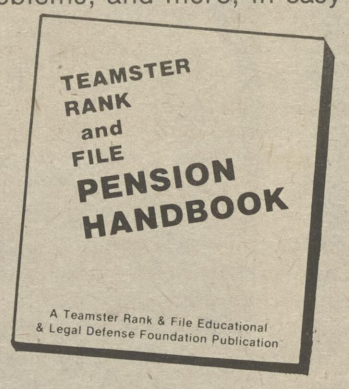
NEW CONSTITUTION AVAILABLE

The new IBT Constitution incorporating changes made at the 1981 Convention is printed and available in some locals. You have a right to one—ask or write your local union requesting it. Asking at a local union meeting might be a good idea, if you have any trouble obtaining one. You especially won't want to miss Article V (pages 23-26). Get your copy and see what we mean.

TDU introduces a new, informative booklet —

The Teamster Rank & File Pension Handbook

Many Teamsters don't get maximum benefits — and some are left with none at all. The **Teamster Rank and File Pension Handbook** covers these problems, and more, in easy to understand language —



- **qualifying for vesting**
- **getting top monthly benefits**
- **changing Teamster plans**
- **impacts of layoff or decertification**
- **getting information from your plan**
- **your pension rights under the law**

The **Pension Handbook** costs $3.00. ($2.00 apiece for orders of 5 or more)

Please send me___copies of the **Pension Handbook**. I am enclosing a total of $_____.

name_____ Local_____

address _____

city _____ state _____ zip_____

Send to: *TDU, Box 10128, Detroit, MI 48210*

United Grocers, Richmond, CA

UG Strike Ends as Int'l Pulls Spreading Pickets

The six week strike against United Grocers, a Richmond, Ca. wholesaler, came to an end on November 13 when a contract containing 18 different takeaways was ratified. The 420 warehouse workers, drivers and clerks had been on strike to protect rights and working conditions as well as a strong stewards system. For a time the strike was spread to other United Grocers locations, but it failed after the International turned off this support.

At issue in the strike were the rights of the members to refuse overtime and to refuse "promotions" to other job assignments, leaving someone low in seniority to fill the job. The unity among the stewards and the members at UG was strong enough to use these rights as a counter to abusive management.

UG management prepared for the strike by running large ads for strikebreakers and taking applications for scabs three weeks before the strike. The success of the strike would hinge on the ability to affect UG's other facilities in Sacramento, Fresno, Fremont, Hayward and elsewhere.

At first, the strike was well supported at Fresno and Sacramento, though the warehouse workers in Sacramento (who are in the Longshoremen's Union) crossed the picket lines. At Fremont and Hayward there was less support, with the locals there making it a matter of individual choice whether or not to support the strike.

These initial support efforts were undercut when International VP George Mock pulled the pickets out of Sacramento. In Fresno, support declined after about a week.

"...they made us more united when they tried to break our union"

As a result, UG was able to win the takeaways they wanted. In addition to four hours of mandatory overtime per week and the loss of the right to refuse "promotions", the new contract also took away a floating holiday, began a practice of multiple starting times for drivers, and tied the UG contract to the arbitrator's decision on Safeway's bid for a flexible work week. In return, amnesty was granted for the strikers.

As one steward said, "The only gratification I get from this strike is that they made us more united when they tried to break our union." It was unity that originally won the conditions that have been lost. Only greater unity will win them back.

Kroger Master Contract Petition

We, the undersigned Kroger employees, believe that our Teamster negotiators will need input from the rank and file in order to bring back a master contract that will meet our needs over the life of this contract. The sole purpose of this petition is to assist in fruitful negotiations.

With this in mind, we agree that an acceptable master contract must contain at least the following changes:

1. Rank and file representatives to be directly involved in negotiations of the master.
2. Severance pay dramatically increased to protect from shutdowns of facilities.
3. Store deliveries guaranteed to Kroger drivers only.
4. No sweetheart contracts, such as with Howard Baer, can be used to take away our work.
5. No new "productivity standards".
6. All new Kroger facilities to be organized into the union.
7. Company-wide hiring preference for laid off or displaced Kroger employees.
8. Innocent until proven guilty in our grievance procedure.
9. If work is subcontracted, right to inspect subcontractor's records.
10. No verbal quits — all notices of quitting must be in writing.
11. Improve moving expenses.
12. Improve the language on funeral leaves.

	Name	Address	Local
1.			
2.			
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9.			
10.			

CONVENTION KICKS OFF KROGER MASTER PETITION. Kroger stewards and activists from around the midwest came to the TDU Convention to hammer out proposals for their upcoming master contract. A strong communications network was responsible for turning down a bad master contract last time by a 3-1 margin.

The Convention heard Cleveland driver Tom Edmiston give the report on the results of the many hours of hard work that were put into these proposals.

Petitions are circulating at most Kroger divisions right now. Anyone working at Kroger who hasn't seen a petition or had a chance to sign can get one by writing to TDU, P.O. Box 10128, Detroit MI 48210. The petitions will be presented to both the locals and the national master negotiating committee, and the detailed proposals will be brought up at many local union meetings this winter.

Local 315 Pickets Help UG Strike

Mandatory Picketing Builds Union Solidarity

by Charis Moore, Local 315, UPS

In May, 1980, Teamsters Local 315 in Contra Costa County, California, became one of several Teamster locals in the area to institute a mandatory picketing program. Today, with the conclusion of a 6 week strike by 420 Local 315 members in Richmond, Ca., that program is being put to the test.

Under the picketing program, each member of Local 315 must be available for one day's picket duty per year or will be assessed one day's pay. First, members are given the option of volunteering a day and are allowed three choices. Then members are called for picket duty in alphabetical order until the roster is exhausted. Members are expected to either ask their employer for a personal holiday or vacation day or take the day off without pay.

In the United Grocers strike, thirty members a day stood picket duty or leafleted stores for 6 weeks. By the end of the strike, all members of the Local with names starting in A - D had been used for picket duty. In short, the mandatory picketing program was a boost for the strike, keeping spirits up and picket lines long.

For some members, this was the first time they had ever participated in a union-related activity. One UPS driver who picketed at United Grocers said, "It was interesting, not boring at all." Another member said, "I had mixed feelings when called to do it. I don't like anyone telling me what to do: But watching and helping my brothers and sisters fight for their jobs gave me a hell of an education." Vince Aloise, Secretary Treasurer of the Local said he felt the picketing program was helping to educate the members about being in a union.

But while most people stood their picket duty without question, others began to express some resentment about the fact that the program was mandatory and that they would be "fined" or "punished" for not participating.

Safeway, the local's largest employer, also did its best to discourage the program, posting notices stating that workers would be fired for doing picket duty instead of working. In fact, it was in response to the long and bitter 1978 Safeway strike that the Local 315 stewards' council resolved to propose the mandatory picketing program.

The local has reacted to Safeway's attempt to undermine the program by threatening unfair labor practice charges at the NLRB. But many members remain fearful of reprisals. Others, uneducated about the purpose and need for the program, are just plain resentful. A few of the people in the local have even gone so far as to propose a bylaws change to eliminate the mandatory picketing program altogether.

Unfortunately, instead of educating these borderline members with little union conscience or experience, the local's officials have relied on threats of assessments and court action to enforce the program.

A more productive approach might involve a concerted effort to educate the members and to provide them with more backing against employer attempts to intimidate them and sabotage the program. This would mean:

(1) Implementing the 4 to 8 hour class on unionism for new members, as passed overwhelmingly at the November membership meeting.

(2) Sending a letter to all members of Local 315 explaining the program and suggesting ways to deal with your employer.

(3) A stronger effort to fight employer harassment—NLRB charges should actually be **filed**, not just threatened.

Most important, rank and file members should lobby to defeat the proposed bylaws change to eliminate the mandatory picketing program when this change comes up at the December 9 meeting. As one warehouseman put it: "Don't throw the baby out with the bathwater. Sure the program has problems getting off the ground. But this program has the potential to significantly strengthen our local. We just have to do a better job explaining it to the membership".

Rite-Aid Warehouses

Disunity Hurts Contract, Organizing

Rite-Aid is a fast growing corporation, distributing household products and drugs. At present, two of their three centers are on strike. Rome, N.Y. is on strike for a new contract. Nitro, W. Va. is on strike to win union recognition.

Rite-Aid is known to be anti-union. Unfortunately, they scored a victory in August, 1981, when Harrisburg Local 776 officials settled for a poor contract instead of coming to the aid of the other two centers. It was an ideal opportunity to develop unity at the three centers, especially since Harrisburg is the oldest center and they are more aware than anyone of how Rite-Aid operates.

But instead of taking the lead in labor solidarity, Local 776 settled for a 60c raise and a retirement plan that is shameful. The final slap in the face was that the order-pickers will get 5c less.

At the union meeting BA Harry Arnold bragged about how they increased the major medical and were grateful for the settlement. The average worker there receives about $6.50 an hour.

We often hear complainst from our local officers that they get no cooperation from other locals and that they are unable to organize new shops. They should learn that you often get what you dish out.

It's time for all Teamsters to realize that labor solidarity is no longer just a nice idea—it is a must for survival.

by Harrisburg TDU

Rank & File Bulletin Board

Local 29 "Finds" Bylaws

The new TDU Chapter of Local 29 members in Virginia has already started shaking things up.

First they caused the officers of Local 29 to 'find' the local bylaws. Previously, when a member asked about getting a copy they were told they used the 'International' bylaws. And a check by TDU with the U.S. Department of Labor in Washington also showed there were none on file (federal law requires each local to have them on file).

So a number of members wrote to the local on this matter...and the bylaws were found! The members who inquired all received a copy.

Meanwhile, the Local 29 Secretary Treasurer has resorted to distribution of a forged "letter" from the Right to Work Committee supposedly sent to TDU—an acknowledged forgery—though when pressed by TDU's attorney he denied it. "We must have them worried," was the response of TDUers.

Even more importantly, the new TDU Chapter prepared a documented and detailed grievance which has been signed by close to 100 drivers at Smith's Transfer, charging the carrier with diversion of freight and causing layoffs at the big Staunton terminal while hiring new people at other domiciles to do the same runs.

Local 29 officers have said nothing can be done about it, but the members are determined to fight for their jobs. The grievance documents the fact that the 1977 Change of Operations has been violated along with the contract.

The members are showing that even a little bit of organization can make a difference—hopefully now more Local 29 members will get involved and much more can be done.

Over the years, Local 29 has unfortunately suffered by being a one-man show. The Secretary Treasurer has appointed most of the officers, and even the stewards. This is what the TDU members want to change.

Is IBT Going to Kansas City?

Roy Williams isn't spending much time in Washington D.C. at our 'Marble Palace', according to the October 19 edition of the **Kansas City Times**. The following is taken from that **Times** article:

"The Traders Bank Building in Kansas City seems to be turning into a Teamsters headquarters west.

"The ninth floor is being remodeled more to Mr. Williams' needs and liking by the Haren and Laughlin Construction Co. According to building permits filed with the city, the remodeling is valued at $100,000.

"A spokesman for Terrydale Management Corp., the buildings manager, said that the Teamsters were picking up the tab for remodeling but that the building's owner, a Chicago-based investment group, had to pay to move the other tenants....

"Those on the ninth floor were not the only Traders Bank Building tenants who had to move recently because of the Teamsters.

"Former Traders Bank Chairman George Lehr recently moved to Chicago when he became executive director of the Teamsters Central States Pension Fund.

"Unlike the ninth-floor tenants, Mr. Lehr reportedly is happy with his move."

Williams to Members: "I Don't Have Time for You"

When Roy Williams became General President back in May, 1981 he promised to be more accessible to the members than his predecessor. Numerous articles poured from PR offices to newspapers and out to Teamster members about the return of a president with an 'open door', a president in the image of Jimmy Hoffa.

So far, we have seen no evidence of this whatsoever. In fact, we can't notice the difference between the policies of Williams and those of Frank Fitzsimmons before him.

For example, on August 2, 1981, Roadway Teamsters telegramed Williams, stating that they would like to have a few representatives of the 3,000 Roadway workers who signed petitions on 'production standards' meet with him.

He was too busy for that, they were told. They were referred instead to Vice President Jackie Presser. On October 29, (3 months later) Presser finally responded: he told the members that they had a chance to submit contract proposals, and that was all they were entitled to!

Other members haven't even fared that well. Their letters go unanswered. For example, over 200 Consolidated Frieghtways employees wrote to Williams (all signed the letter) in early August. They have yet to receive the courtesy of a reply despite the serious nature of their problems at their terminal.

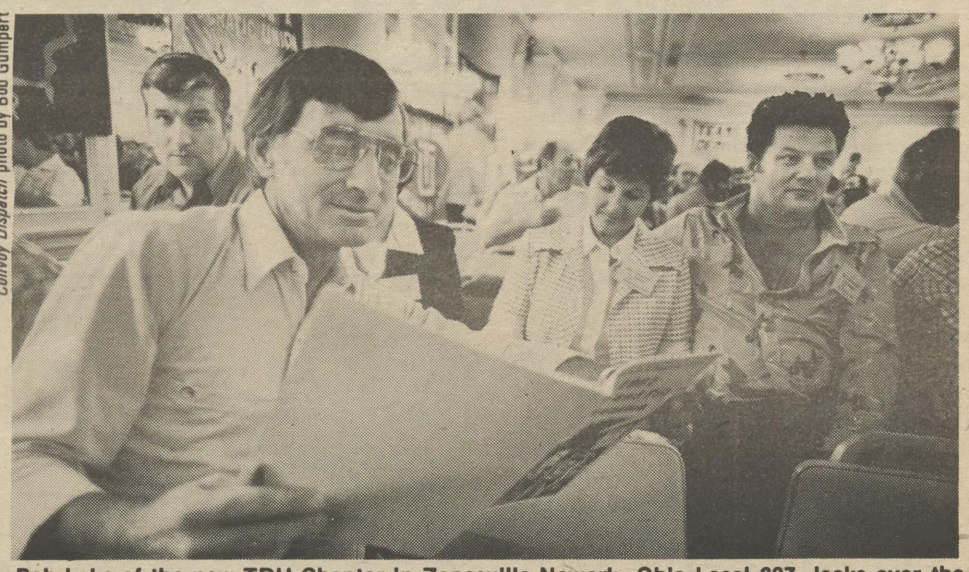
Cleveland Local 407 Changes Bylaws

In July members of Cleveland Local 407 voted by an overwhelming margin of 1426 to 118 to forbid the payment of special "retirement gifts" or pensions to retiring officers from the general fund.

In the past, some Local 407 officers have picked up a **third** pension to keep them in the bucks in their old age from the local's treasury.

Interestingly, the Executive Board allowed the vote on the bylaws amendment by mail ballot, and thus got a much larger response than would have been expected at a meeting.

Convoy Dispatch photo by Bob Gumpert



Bob Lake of the new TDU Chapter in Zanesville-Newark, Ohio Local 637, looks over the program of the Rank & File Convention, as fellow Chapter members Urvin Hartsock [left], and Mr. and Mrs. Jack Hedges [right], look on.

TDU Chapter Starts Changes

The new TDU Chapter in the Zanesville-Newark area of Ohio has already acheived one small improvement—monthly union meetings of Local 637.

At the first TDU meeting held, it was discussed that quarterly union meetings were not adequate. TDUers, after talking it over with other members of the local, went to the next union meeting prepared to act on it. They made a motion to have monthly meetings, and the policy was adopted. Now comes the job of making those meetings meaningful to the members, and building involvement.

TDUers also report that there seemed to be more respect for the members at the union hall, since they have joined TDU.

Other goals of the new Chapter including stepping up union efforts to organize non-union companies and an attempt to enforce the contract and prevent work from being diverted to non-union subsidiaries.

They are also working with TDU attorneys toward possible legal action to enforce the contract and protect jobs.

Toledo Free Speech Victory

Last February 7, Chief Steward Paul Haas and 75 of his fellow Teamsters at Ace Hardware in Local 20 picketed their union hall in a protest of poor representation they felt they were receiving. Within 3 days Paul Haas was fired by Ace Hardware for engaging in "false, vicious, or malicious statements about...the company...". His crime: he had spoken to a reporter at the union hall picket line about harassment and unsafe working conditions at Ace Hardware.

After studying the facts of the case, an Arbitrator ruled that: "The employees were on their own time and picketing at a place other than the Company's premises. The purpose of the picketing was inadequate Union representation. The Landrum-Griffin Act would undoubtedly protect this type of protest under the right of Union members to express their views concerning their collective bargaining agent....It would be anomalous that an employer could discipline a Union member for the same statements which would be protected from discipline by the union." Paul was ordered back to work with back pay on September 22.

While the issue of how much back pay Paul is due is still being fought out, our basic victory in this case is clear. It is a victory for all rank & file Teamsters who want to be able to stand up and speak out without fear of reprisal. Thanks go to Butch Wick, Steve Woda, and other rank and filers in Local 20 who worked hard to make sure that the rights of Paul Haas were protected—so that all Teamsters could benefit from this victory.

His Arbitrator is Embezzler

When Local 468 member Dean Buckley was fired over a year ago from CF on the charge of fighting, he wasn't too happy with the adverse decision of the arbitrator employed by the California Trucking Association and the Western Conference of Teamsters. So he looked into the situation.

He found that his arbitrator, Homer L. (Dutch) Woxberg, has an interesting background.

During the fifties, Woxberg headed Local 224, line-haul drivers in LA. He also was a spokesman for Jimmy Hoffa in the West.

Then, in January 1962, Woxberg resigned from the union after entering the taxicab business in Las Vegas with the aid of a $225,000 loan from the Central States Pension Fund.

Later that same year Woxberg was indicted along with three others for embezzling some $47,330 from Local 224, in the form of a special "pension fund" that was set up and then dissolved into the pockets of the four men. On March 15, 1963, a jury in LA convicted Woxberg.

Woxberg's associates lost office in 224 and his influence seemed to disappear. But now it seems he is deciding the fate of Teamster members, who, like Dean Buckley, find themselves discharged by their employers.

What to Do About Cut Rates

Carhaulers outside the Western Conference talk a lot about "cut-rate" or "competitive" backhauls. More and more of these deals are being set up, especially in the Ryder System. Full-rate backhauls pretty much dried up when the big layoffs hit. Like it or not, half-rate backhauls deals seem to be here to stay.

Three years ago, a majority of carhaulers backed the idea that all backhauls should be full-rate. The industry was booming then. Now, most of us are resigned to tolerating competitive backhaul deals. But we are still bitter about many of these arrangements. We have good reason to be.

The most hated cut-rate deals involve old full-rate traffic. Contrary to Article 22 of the contract, the companies have got some deals through the panel that brought no new traffic, just a wage cut on old traffic.

But most of these new deals do seem to involve new traffic. It may even be true that we sometimes have to give something on the short leg to keep old work off the rail.

The problem is that the current contractual standards governing competitive backhaul deals are so low that some of these deals lower our wages below what we would make hauling just one way.

When you haul one way, you make over 63c per loaded mile or half that at a minimum per running mile. One thing should be clear: for a backhaul to be worth hauling, it has to better this running mile rate.

But the only contract requirement on mileage on competitive runs is that your deadhead miles can't exceed your loaded miles (C & S, Art. 61, Sec. 15(b); Eastern. Art. 45, Sec. 6(d)). This is much too weak. This means you can have competitive runs that barely pay 23c a running mile. For example, if your empty miles equal your loaded miles, and the fronthaul and backhaul are equal miles. This works out to only 3/8 the regular loaded rate on the running mile. You're better off returning empty or hauling freight. You literally lose money to take the extra time to pull the backhaul.

This has got to be stopped by contract language the panel **can't** misinterpret. Several suggestions were discussed at the carhaulers' CCC meeting at the TDU Convention last month. One idea has the advantage of being simple and enforceable. **The mileage pay for a competitive round trip must never be less than 3/4 the full rate for each mile traveled.**

What we are demanding is that the "floor" under competitive backhaul runs be raised to 3/4 the full rate per running mile. That's approximately 48c currently. The best competitive loads meet this standard already. But most do not. If competitive deals are here to stay, let's build a solid contractual floor under which they are not allowed to fall.

We will still have the problem of protecting our old full-rate backhauls. But at least we will keep the companies from cutting our wages to the level of freight or even below.

Convoy Dispatch photo by Bob Gumpert

Join the "100-100 Team"

HELP KICK OFF THIS YEAR'S FUNDRAISING EFFORTS. 75 people pledged or gave $100 each at our recent convention. We need 25 more people to make our first goal of $10,000. Join the "100—100 Club" to help save your job & your union.

☐ I pledge $100. My check is attached.
☐ I pledge $100 in four monthly $25 contributions.
☐ I pledge $100 in ten monthly payments.

Date_____ Chapter affiliation_____
I wish to remain anonymous: ☐yes ☐no
My name may be listed as a donor: ☐yes ☐no

To join the "100-100 Team" do the following:

- fill our the form below
- make a check or money order to *Teamster Rank and File Educational and Legal Defense Foundation*
- mail to: TRF, Box 10303, Detroit, Mich. 48210

Name_____ Company_____

Address_____ Local_____

City_____ State_____ Zip_____

We Must Organize for Action Now

Fuel Surcharge Modification Stalled in Court

The November 8 decision by the Interstate Commerce Commission (ICC) to end the revenue based fuel surcharge within 60 days has been placed on hold by the Fifth U.S. Circuit Court of Appeals.

The ICC was given until November 18 to file briefs supporting their position. It is expected that the court will make a decision within 1-3 weeks following that date.

If the court agrees to issue a permanent restraining order against the ICC position, then the final outcome could hang in the balance for months.

If the court decides to support the ICC, and throws out this and other legal challenges, then the ICC's proposal will take effect no later than 60 days following the court's rejection of appeals.

So far, most owner operators seem fairly confused over what the proposed charge will do and how it will work.

In the following section, **Convoy Dispatch** will attempt to explain simply what the fuel surcharge modification means.

(1) The existing revenue based surcharge will end completely.

(2) All carriers will be **required** to begin compensating the owner operator at the rate of 14c per mile for every mile traveled on **carrier business**. This includes deadhead miles only if your carrier orders you to deadhead. The number of miles traveled will be based on the mileage listed in the Household Movers Guide. (This is always about 10% under actual mileage.)

(3) The compensation rate of about 14c per mile can vary from month to month as the cost of fuel rises or falls. Changes in that rate will be in ½ cent increments and will be announced by the ICC which will continue to monitor fuel prices.

(4) All carriers will be required to file for rate increases that will at least **equal** the extra revenue needed to cover the 14c fuel compensation. In general, this will probably be at least a 12% rate hike.

(5) Carriers **may** file additional rate hikes to reflect other increased non-fuel costs.

(6) Owner-operators and percentage drivers on company equipment are entitled to their split of the total gross revenues remaining **after** the 14c a mile is subtracted and paid to the purchaser of the fuel. For example, after the rate increases take effect, and the existing revenue surcharge is abolished, the owner-operator's split will work like this. If a load carried 800 miles has a **gross** revenue of $1,000 you must deduct 800 x 14c or $112 paid to the purchaser of the fuel before calculating your 75% of $888 or $666 plus the $112 additional fuel compensation for the total of $778. Accordingly, the 26% company driver would also have to figure his pay on 26% of $888, not $1,000 as the $112 fuel allowance would go to the owner.

(7) Left unsaid by the ICC, but probably obvious by now, is the problem of figuring just how much the company will be skimming off the top. Especially after this formula is further confused by additional non-fuel related increases or costs. Confusing? You betcha!

Action Needed to Stop Rate Cutting

What it boils down to is that most owner-operators will wind up with half as much in separate fuel costs as the present revenue based formula allows.

But the sad truth is that this new proposal will in fact compensate owner-operators for most or all of the extra fuel costs beyond 63.5c per gallon.

So where should the owner-operator go to make up for these new losses?

Too many of us for the last 2 years have been counting on the fuel surcharge to make up for the revenues we lost as our companies slashed the rates. For too long, we have looked for a simple solution to a complex problem.

Owner-operators and all percentage drivers need to start aiming our anger and our organizing efforts at the source of our problems, and that is the big shippers that demand cheaper and cheaper rates.

Big shippers like U.S. Steel dictate the rates and even demand that carriers create new divisions to haul it cheaper. Given the present state of the economy, and the problem of deregulation, carriers will do anything to get whatever freight is still available.

January of 1982 could mark a significant opportunity for percentage drivers and owner-operators. The Teamsters leadership hopes to wrap up a new NMFA by Jan. 15. If the ICC prevails in court, and the surcharge is modified as proposed, the old surcharge will expire at about the same time.

All percentage drivers must demand now that full protection against rate-cutting be written into the contract and that the union will begin using **whatever means necessary** to shut down the cut-rate companies and bring them under the contract.

The likelihood of persuading our union negotiators to accept this is fairly small. Therefore we must begin planning now to close down the industrial capacity of this nation in a unified way to win our demands.

Collectively, we have the **power** to say 'If the rates don't go up, then industry will go down'.

It's time we used that power.

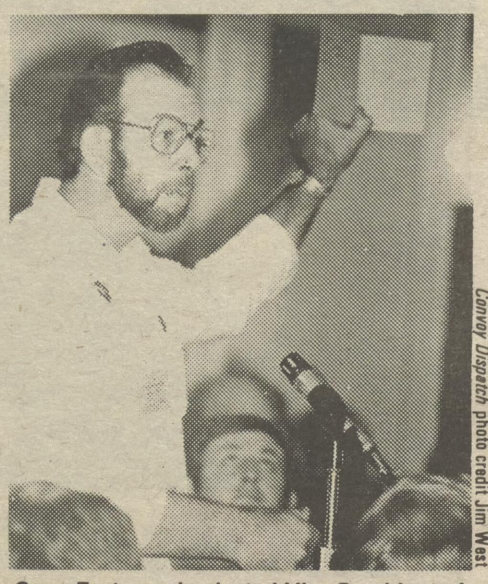
For more information on the surcharge and organizing for the contract fight, contact TDU, at the national office in Detroit (313) 842-2600, or in Pittsburgh, (412) 421-1691.

Quad Cities TDU Moves Ahead in Local Election

After organizing for less than two years, the Quad Cities TDU has made a major breakthrough in building their local union into a strong rank and file organization, by ousting former local president 'Tiny' Dugan in this fall's election.

The election victory came after three members of the TDU chapter, which covers the Quad Cities of Davenport, Iowa, Moline, Ill., Rock Island, Ill., and Bettendorf, Iowa, entered into a coalition slate. The coalition's candidate for president, Richard "Peanuts" Cashion, defeated Dugan by a margin of 979 to 770.

The three TDU members all made a strong showing in the election. One of them, Gene Fort, was elected as Vice President of the Local. The other two — Bill Harmon and Red Sampson — came within a few votes of being elected to posts on the Executive Board and as BA's. (Harmon drew 47% of the vote for Secretary Treasurer, and came within 8 votes of a BA's post; Sampson drew 49% of the vote for Recording Secretary, and came within 7 votes of a BA's post.)



Convoy Dispatch photo credit Jim West

Gene Fort, newly elected Vice President of Local 371, warns against a sellout on the NMFA at the Rank & File Convention.

While pleased with the election outcome, the TDU chapter in the Quad Cities is firm in its determination to continue to function as a rank and file organization. "As a TDU Chapter we don't care about the names or personalities of the people in Union Office," stated the chapter's newsletter, **The Reformer**. "We do care about what they do that affects the members of this Local. We expect the best possible representation from each and every one of them. **The Reformer** may have to report to the members once again about a problem in the Local, but we also look for the times when we can praise our local officials."

Members of the chapter have told **Convoy Dispatch** that continued effort will be needed in Local 371 to make sure that the reform process continues. Many of the BA's from the previous administration were reelected despite the election of a new majority on the executive board. This factor, as well as the continuation of certain old members of the executive board, could cause political difficulties in the Local in the months and years to come.

"TDU is going to stay out of personality-politics," said Tom McNamara, an active TDU member in Local 371. "We will look to work with anyone who is doing a decent job for the Local. Right now there are some pretty big issues facing the members — such as the negotiation of the NMFA. This is the kind of thing that really counts. Not personalities."

"We Must Stand as One"

The following speech was delivered by Bill Slater, Vice President of Local 468 in Oakland, California, at the opening session of the Rank & File Convention. The tremendous ovation it received marked it as the high point, for many, of this year's Convention.

Convoy Dispatch photo by Bob Gumpert

Bill Slater, California Carhauler

Since we last met, all matters concerning organized workers in this country have steadily deteriorated: wages being cut and stolen; conditions that took years to get are being lost and given away; the President of the United States goes into the union-busting business; and for some strange reason, not only the general public, but a majority of union members are either unconcerned or are very vocal in their attacks against organized labor.

I have tried to figure out why this should be. I believe there are several reasons. You have to give the lion's share of the credit to the corporate interests in this country, because they have been very successful in obliterating not only the history, but also the great contributions that unions have gained for the American worker.

It is a sad fact that the corporate interest has succeeded in making union membership sound like you belong to some subversive organization. They have done such a thorough job that they have convinced the majority of American workers to now think that their interest will best be served outside the union.

How sad it is, because little do they know that the same type of people who ran those huge mill towns in New England in the first years of this century are still here — the people who forced barefooted children as young as five years old to work fourteen hours a day, six days a week, are still with us. They are even more dangerous now because they hide behind a facade called social enlightenment. The truth is that this immoral scum now hires young well-educated people whose sole purpose is to instruct employers on how to use every rotten deceitful means to destroy a union.

One other reason that less than twenty-five percent of the workers in this country are organized has to be because of the corruption that permeates our unions. This is a problem that only we can solve, and there is only one way to do it — "If you want change, you have to vote change." There is no way you can elect the same silk-suited set back to office and expect change.

Our problems will only be solved when you and I, acting in unison, confront our adversary. If we do not stand up as one to face the employers, the job will not be done; if we do not go back home and throw out the silk-suit set, the job will not be done. So it is not a question of leaders, it is a question of an **active, educated, organized** rank and file. And despite what anyone else has told you, that is precisely what TDU is all about — "Organization and Education."

No one has been involved in the fight against corruption more than TDU. And we will remain in the forefront of that struggle. But one thing we must not do, and that is to forget who the real enemy is. They are the employer groups. So while we have corruption in our union, and will have to contend with it, our most pressing problem is maintaining a union of any sort. And if you think that is a far-fetched assumption, ask any PATCO member.

You must realize that the people in management you are dealing with are not just "good ole' boys" standing up for their interest. These people are moral lepers — they have no conscience, they have no heart, they have but one God — "greed". That greed has to be fed with profit. Since they no longer have a monopoly on the world markets, they have but one place to get the food for their "god" — **that place is our wages and working conditions.**

If you do not believe that the same heartless, greedy power-brokers prevail today as they did years ago, let me illustrate my point.

A few months ago I read of an incident that took place in Sterling, Illinois. It stated that a young unemployed worker begged the power company not to cut off his electric service. He promised to pay his bill as soon as he received his unemployment check, which was fouled up somewhere in the bureaucracy. But the company turned a deaf ear to his plea and turned off the power. A few hours later, his three sons were dead, apparently because of a fire due to an upset candle.

My friends, if America's working class people are to retain their traditional role as the social and moral conscience of the country, then I suggest that it is time we stood up as one, and eliminated the Neanderthal mentality of these archaic people.

TDU STOPS ANOTHER HEALTH & WELFARE FUND RIP-OFF

This action benefits nearly 200,000 Teamsters covered by the Fund. Yet only a fraction of those members contribute active support and money to TDU to make it happen. If you're one of those who supports our goal of a democratic union and our actions to win protections for members, then isn't it time that you...

JOIN TDU!

Membership Application Form

Name_____ Local Union #_____

Address _____

City_____ State/Prov._____ Zip_____

Phone_____ Company_____

City Road Dock Clerical Warehouse Construction ☐ Production ☐ Other_____

$20 membership fee—for one year's membership & subscription to **CONVOY DISPATCH.**
$25 optional membership fee. ($5 of this shall be rebated to the local chapter.)
$10 annual dues for spouses, retirees, and Teamsters who gross less than $10,000 a year.

I want to distribute **Convoy Dispatch.** Prices per issue are: ☐ 100-$9 ☐ 50-$5 ☐ 20-$4 ☐ 10-$3
I want to help build TDU by signing up members or helping organize a meeting. Contact me.

Return to: TDU, P.O. Box 10128, Detroit, Michigan 48210
(TDU membership is kept confidential from employers and IBT officials.)